

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

Katherine Bradacs and Tracie Goodwin,	)	Civil Action No. 3:13-cv-02351-JMC
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	MOTION TO STAY
Nimrata (“Nikki”) Randhawa Haley, in her	)	ATTORNEY’S FEE DEADLINES
official capacity as Governor of South	)	
Carolina; Alan M. Wilson, in his official	)	
Capacity as Attorney General,	)	
	)	
Defendants.	)	
_____	)	

The Defendant Attorney General moves for this Court to stay, continue or hold in abeyance all deadlines and proceedings regarding any attorney’s fee motion in this case until such time as the Court of Appeals for the Fourth Circuit makes a final decision regarding the appeal of the Defendant Wilson in this case. Yesterday, the Court of Appeals issued an order consolidating the appeal in this case with the appeal in *Bleckley / Condon v Wilson* (Case No. 14-2241(L) – Doc. 23) and holding the appeal in this case in abeyance. *Bradacs v. Wilson*, Case No. 14-2337 (Doc. 22). Pursuant to the *Bleckley* Order, the appeals are stayed or held in abeyance pending a final decision by the United States Supreme Court regarding the petitions for writ of certiorari in *DeBoer v. Snyder*, No. 14-1341, 2014 WL 5748990 and any petition for writ of certiorari filed in *Condon*.

The Plaintiffs’ Motion for Attorney’s Fees is due today, and they have asked that the deadline for it be held in abeyance pending a decision regarding the instant motion.

Staying consideration of the attorney’s fee motion would serve the purpose of judicial economy by ensuring that a final decision is reached in the appeal in this case, and that the rights

of the parties in that appeal are determined before a decision is made as to whether to award fees. Deferring the decision would also avoid having to redo motions or memoranda regarding attorney's fees following a final appellate decision.

### **CONCLUSION**

For the foregoing reasons, the Attorney General respectfully requests that this Court stay, continue or hold in abeyance the filing of any motion for attorney's fees and responsive memoranda in this case and proceedings related thereto until the Court of Appeals makes a final decision regarding the appeal in this case.

Respectfully submitted,

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Counsel for Defendant  
Attorney General

December 16, 2014

Rule 7.02 Consultation

Counsel for Defendant consulted with counsel for Plaintiffs, and they consent to the foregoing motion for stay.

December 16, 2014

/s/ J. Emory Smith, Jr.  
J. EMORY SMITH, JR.  
Deputy Solicitor General